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14 Attorneys for Plaintiff

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN JOSE DIVISION

18 UNITED STATES OF AMERICA, ) No. CR 08-00087 RS  
19 Plaintiff, )  
20 v. ) STIPULATION AND [PROPOSED]  
21 MARIA CONSUELO MACHUCA ) ORDER EXCLUDING TIME  
22 ZUNIGA, )  
23 a/k/a Maria Consuelo Gomez, ) SAN JOSE VENUE  
24 a/k/a Maria Consuelo Machuca Gomez, )  
25 Defendant. )  
26 \_\_\_\_\_)

27 On March 13, 2008, the parties in this case appeared before the Court for an arraignment  
28 on an information. After the defendant was arraigned and entered a plea of not guilty, Assistant  
29 Federal Public Defender Lara Vinnard and the government agreed that the Court schedule the  
30 case for a status hearing on March 27, 2008. Reid Davis, Law Clerk for the United States  
31 Attorney's Office, then requested an exclusion of time under the Speedy Trial Act from March  
32 13, 2008 until March 27, 2008 in order for the government to provide discovery to the defendant.  
33 The defendant, through AFPD Lara Vinnard, agreed to the exclusion. The undersigned parties

1 agree and stipulate that an exclusion of time is appropriate based on the defendant's need for  
2 effective preparation of counsel.

3 SO STIPULATED: JOSEPH P. RUSSONIELLO  
4 United States Attorney

5 DATED: 3/25/08 /s/  
6 SUSAN KNIGHT  
7 Assistant United States Attorney

8 DATED: 3/25/08 /s/  
9 Assistant Federal Public Defender  
10 Counsel for the defendant

11 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded  
12 under the Speedy Trial Act from March 13, 2008 to March 27, 2008. The Court finds, based on  
13 the aforementioned reasons, that the ends of justice served by granting the requested continuance  
14 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant  
15 the requested continuance would deny defense counsel reasonable time necessary for effective  
16 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
17 of justice. The Court therefore concludes that this exclusion of time should be made under 18  
18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

20  
21 DATED: \_\_\_\_\_ NANDOR J. VADAS  
22 United States Magistrate Judge  
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